

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Andres Miguel Molina

Case: 4:22-mj-30004

Judge: Ivy, Curtis

Filed: 01-04-2022

SEALED MATTER (kcm)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 3, 2022 in the county of Genesee in the
Eastern District of Michigan, the defendant(s) violated:

*Code Section**Offense Description*

21 U.S.C. § 922(g)(1)

Felon in possession of a firearm

This criminal complaint is based on these facts:

There is probable cause to believe that January 3, 2022, in the Eastern District of Michigan, Andres Miguel Molina possessed a firearm after have been convicted of a crime punishable by imprisonment for a term exceeding one year in violation 18 U.S.C. § 922(g)(1).

☒ Continued on the attached sheet.



Complainant's signature

Candace Booth, Special Agent, ATF

Printed name and title

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: January 4, 2022

City and state: Flint, MI

Judge's signature

Curtis Ivy, Jr., United States Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Candace A. Booth being first duly sworn, hereby depose and state as follows:

Introduction

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), currently assigned to the Flint, Michigan, Field Office. I have been an ATF Special Agent since 2009. I have had extensive training at the Federal Law Enforcement Training Center in the Criminal Investigator Training Program and ATF Special Agent Basic Training. Before working for the ATF, I was a US Border Patrol Agent. I have participated in numerous state and federal investigations including narcotic trafficking, illegal firearms possession, firearms trafficking, shooting investigations, as well as other types of criminal investigations. Because of my involvement in these and other investigations, I have sworn to several federal search and arrest warrants.
2. This affidavit is in support of a complaint and arrest warrant for Andres Miguel Molina, (DOB xx/xx/1998). Because this affidavit is being submitted for the limited purpose of establishing probable cause, I have not included each fact known to me concerning this investigation.
3. ATF is currently conducting a criminal investigation concerning Andres Miguel Molina for violations of 18 U.S.C. § 922 (g)(1) —felon in possession of a firearm.
4. The facts in this affidavit are based on my personal knowledge and observations, my review of law enforcement reports, communications with others who have personal knowledge of the events and circumstances

described in this affidavit, and information gained through my training and experience.

Probable Cause

5. On January 3, 2022, Flint Police Department (FPD) Officer Spann was dispatched to the area of North Franklin Avenue and Hamilton Avenue in reference to a person with a gun. While Officer Spann was enroute, he was notified by dispatch that a second call was received in reference to an unknown white male, wearing a black coat, bright blue shirt, and blue jeans that fired approximately 3-4 shots at an unknown blue pickup, then fled the scene running in an unknown direction of travel. Officer Spann observed an individual fitting the suspect description provided by the caller. Officer Spann made contact with the individual, who was later identified as Andres Miguel Molina. Molina was asked where he was coming from. Molina stated that he was returning from the “drive thru” store. Officer Spann observed Molina to be out of breath, as if he had been running, and had what appeared to be perspiration on Molina’s forehead. Molina was detained and handcuffed. A pat-down was conducted and Officer Spann asked Molina if he had a firearm on him. Molina stated no. Officer Spann felt what was believed to be the outline of a firearm while patting down the outside of Molina’s black coat. Molina then stated, “ok, so I do got a gun, officer.” “It’s for protection though, its rough out here.” Molina then stated that he was not licensed to carry concealed. Officer Spann then placed Molina under arrest. A complete search of Molina was conducted. A Glock, model 35, 40 caliber pistol with serial number WAW763 was recovered from Molina’s person.

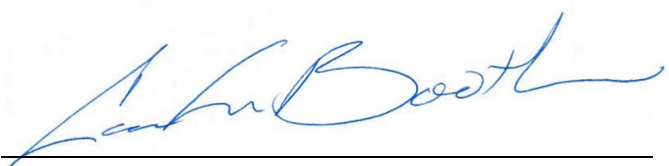
6. During the investigation, I conducted a computerized criminal history check of Andres Miguel Molina. The check showed that Molina had been convicted in 2019, in the state of Michigan, of the following felony offense, Attempt- Felony Weapons- Carry Concealed, and is not eligible to possess a firearm under federal law.
7. On January 4, 2022, I spoke with ATF Special Agent (SA) Dustin Hurt who is a Firearms Interstate Nexus trained Special Agent. From the information provided and based on Special Agent Hurt's training and experience, the above described Glock 40 caliber handgun was manufactured outside of the state of Michigan, and therefore traveled in or affected interstate or foreign commerce before Molina possessed it. The firearm is also a "firearm" as defined in 18 U.S.C. § 921.

Conclusion

8. Based upon the facts stated above, there is probable cause to believe that January 3, 2022, in the Eastern District of Michigan, Andres Miguel Molina possessed a firearm after have been convicted of a crime punishable by

imprisonment for a term exceeding one year in violation 18 U.S.C. §
922(g)(1).

Respectfully submitted,



Candace Booth
Special Agent, ATF

Sworn to before me and signed in my presence and/or by reliable electronic means
on this 4th day of January, 2022.



Curtis Ivy, Jr.
United States Magistrate Judge